



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

July 18, 2022

BY ECF

The Honorable Mary Kay Vyskocil
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

**Re: *United States v. Adedayo Ilori*,
S1 21 Cr. 746 (MKV)**

Dear Judge Vyskocil:

The Government respectfully writes on behalf of the parties in advance of the pretrial conference currently scheduled for July 20, 2022.

First, the parties have no objections to the Court's draft voir dire and charges, which were distributed at the July 12, 2022 conference in this matter. In addition, after reviewing the Court's draft charges, the parties believe that the Court's draft charge number eight, concerning witness credibility, adequately captures the instructions concerning a witness with an interest in the outcome of the case. As a result, the parties believe that no further instruction in this regard is necessary.

Second, the parties also wish to provide the Court with the availability of counsel and witnesses for a rescheduled trial. The Government has gathered the available dates of trial witnesses, case agents, and counsel. The parties are available for a trial in this matter during the week of July 25.¹ Unfortunately, given witness availability and trial conflicts, if a trial during the week of July 25 is not feasible, the next available times where all witnesses and counsel are available for trial are the weeks of October 24, 2022; November 28, 2022; and January 9, 2023.

While the parties regret requesting a rescheduled date several months away, under the circumstances of this case, witness availability and continuity of counsel warrant this request. The defendant and the public retain an interest in the speedy resolution of this matter, but the defendant would suffer no substantial prejudice from a delay in trial; because he is serving the 63-month sentence imposed by Judge Liman in case 20 Cr. 378 (LJL), the defendant is currently detained post-conviction, rather than as a pretrial detainee.

¹ Counsel for the defendant currently has a state court trial scheduled to begin on July 25, but could try this case instead if the trial in this case rendered him unavailable for the state-court proceeding.

In addition, a trial on one of the proposed dates would still be relatively prompt, considering the sophisticated and widespread fraud, identity theft, and money laundering offenses with which the defendant is charged. The parties' proposed dates would involve a trial either less than a year or just over one year after the defendant was first arraigned on the charges in this case.

The parties are available to further discuss these scheduling issues at Wednesday's conference.

Respectfully submitted,

DAMIAN WILLIAMS
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cc: Peter Brill, Esq. (by ECF)